

**REMARKS**

Applicants have amended claims 1, 10-12, 22-25, 34-36, 49, 51, and 53 as set forth above. Applicants note with appreciation the Office's indication that claims 38, 40, and 42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The Office has objected to claims 10-12, 22-24, and 34-36 asserting claims 10-12 improperly depend on cancelled claim 9, claims 22-24 improperly depend on cancelled claim 21, and claims 34-36 improperly depend on cancelled claim 33. Additionally, the Office has objected to claim 1, line 12, asserting "accessing the at least one the plurality of electronic records databases with the retrieved instructions" should be read as "accessing the at least one of the plurality of electronic records databases with the retrieved instructions" and that claim 25, line 18, "accessing the at least one the plurality of electronic records databases with the retrieved instructions" should be read as "accessing the at least one of the plurality of electronic records databases with the retrieved instructions".

Accordingly, Applicants have amended claims 10-12 to depend from claim 1, claims 22-24 to depend from claim 13, and claims 34-36 to depend from claim 25. Additionally, Applicants have amended claims 1 and 25 to correct the minor typographical error and insert the missing word "of" in the claims as suggested by the Office. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw these objections.

The Office has rejected claims 1, 2, 5-8, 13, 14, 17-20, 25, 26, 29-32, 37-48 under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,366,650 to Rhie et al. (Rhie) in view of US Patent No. 7,051,019 to Land et al. (Land) and claims 3, 4, 10-12, 15, 16, 22-24, 27, 28, 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhie in view of Land and further in view of US Patent No. 6,263,351 to Wolfe (Wolfe). The Office asserts Rhie discloses: selecting one of a plurality of user input, stored electronic records search requests from a queued search database to execute next based upon one or more selection criteria (i.e. the document delivery subsystem operates like a queue where the queue is periodically checked to see if there are any pending jobs, col. 6, lines 46.55) (col. 2,

lines 1-46; col. 3, lines 36-65); determining which of two or more different types of communication medium (i.e. via voice format, fax-on-demand, email, or regular mail, col. 2, lines 12-46) can be used to access at least one of a plurality of electronic records databases associated with the selected one of the electronic records search requests (i.e. if the requested file is not found in the Fax Database, col. 6, line 56 to col. 7, line 12; In the case of delivery by email; in case of delivery by fax; col. 4, lines 32-47) (col. 2, lines 1-46; col. 3, lines 36-65); retrieving instructions for accessing the at least one of a plurality of electronic records databases based on at least one of the determined types of communication medium which can be used to access the at least one of the plurality of electronic records databases (i.e. audio menus to guide the caller to retrieve documents of web-pages from the internet, col. 3, lines 26-65) (col. 2, lines 1-46; col. 3, lines 36-65); accessing the at least one the plurality of electronic records databases with the retrieved instructions (i.e. webpage, col. 4, lines 4-47,) (col. 2, lines 1-46; col. 3, lines 36-65); executing the selected electronic records search request and retrieving at least one electronic record from at least one storage location during the executing (i.e. a document or a webpage; col. 6, lines 28-55) (col. 2, lines 1-46; col. 3, lines 36-65). The Office acknowledges Rhie does not teach parsing the electronic records to convert one or more raw data sets into user-selectable objects; causing the user-selectable objects to be displayed, but asserts Land teaches: parsing the electronic records to convert one or more raw data sets into user-selectable objects (i.e. displaying a related image that is inserted into the document, so that the related image is associated with the indicated text in the document, col. 1, line 39 to col. 2, line 31); and causing the user-selectable objects to be displayed (i.e. The present invention enables a user to choose an image from a group of images that are determined to be the most relevant for indicated text, col. 4, lines 31-52). The Office also acknowledges that Rhie and Land do not teach raw data sets comprise court case items or documents associated with a court case docket sheet, but asserts Wolfe teaches the raw data sets comprise court case items or documents associated with a court case docket sheet (i.e. the text of the first portion of the Graver Tank case that was decided by the U.S. Supreme Court in 1950, col. 5, lines 55-65). Further, the Office acknowledges Rhie and Land do not teach the electronic records comprise results of an executed electronic court case records search request, at least one criterion used in formulating the electronic court case records search request and data related to at least one electronic court database associated with the electronic court case records search request, but asserts Wolfe teaches the electronic records comprise results of an executed electronic court case records search request, at least

one criterion used in formulating the electronic court case records search request and data related to at least one electronic court database associated with the electronic court case records search request (i.e. the citing cases box would include a representation of all existing cases that cite the Graver Tank case, col. 5, line 66 to col. 6, line 10).

Applicants respectfully traverse the Office's rejections. Rhie, Land, and Wolfe, alone or in combination, do not disclose or suggest, "determining which of two or more different types of communication medium can be used to access at least one of a plurality of electronic records databases associated with the selected one of the electronic records search request; retrieving instructions for accessing the at least one of a plurality of electronic records databases based on at least one of the determined types of communication medium which can be used to access the at least one of the plurality of electronic records databases; accessing the at least one the plurality of electronic records databases with the retrieved instructions" as recited in claims 1 and 25 or "at least one processor executing a program of instructions for . . . determining which of two or more different types of communication medium can be used to access at least one electronic records database associated with the selected one of the electronic records search requests, retrieving instructions for accessing the at least one electronic records database based on at least one of the determined types of communication medium which can be used to access the at least one electronic records database, accessing the at least one electronic records database with the retrieved instructions" as recited in claim 13.

The citations in Rhie relied upon by the Office, such as col. 2, lines 1-46, col. 3, lines 36-65, col. 4, lines 32-47, col. 6, line 56 to col. 7, line 12, refer to the manner of delivering the information, not determining which of two or more different types of communication medium can be used to access at least one of a plurality of electronic records databases associated with the selected one of the electronic records search request. Rhie only discloses and suggest one method for accessing and navigating the internet and that is by telephone. For example, the Office's attention is respectfully directed to col. 1, lines 23-30 in Rhie which states:

The present invention relates generally to methods for retrieving information from an interconnected network and for accessing and delivering the retrieved information to a user, and, more particularly, a method for accessing and retrieving information from an interconnected networks such as the internet via a telephone in response to the user's

request and for delivering the information via voice, fax-on-demand, e-mail, and other means to the user. (Emphasis Added)

Additionally, the Office's attention is directed to col. 2, line 66 to col. 3, line 11 which describes in greater detail the access and navigation by telephone:

Referring to FIG. 1, the preferred embodiment of the present invention is operated by a caller 10 using a telephone 12 to dial into a server having telephonic interfacing software and hardware. The server provides audio directions to the caller and provides a number of options which may be selected by the corresponding DTMF tones generated through the use of a telephone keypad. By pressing a number on the keypad corresponding to the desired option, the caller selects one of the several available options. The server then receives the DTMF tone, converts the tone to a corresponding DTMF code, identifies the option corresponding to the code, and executes the action corresponding to the selected option. In this manner, the caller is able to direct the server to take certain available actions.

One of the available actions is to direct a voice browser 18 to navigate the internet 20. By selecting the voice browser, the caller is provided with an audio readback of a default web page where the available links to other web pages are read back to the user and are indicated by a special audio signal such as a short duration tone signal, a beep, a "bong" sound, etc.

For example, referring to Appendix D illustrating a listing of the code of the preferred embodiment as described below, instructions (starting from page 13 of Appendix D) are provided to direct a user to navigate through available documents and the hyperlinks therein. By repetitively selecting documents and the hyperlinks contained therein, the user can navigate the entire internet.

#### User Interface for Operating the Voice Web

To operate the preferred embodiment of the present invention, a touch-tone phone and the phone number to access a server are all that is required.

The voice browser provides a series of audio menus to guide the caller to retrieve documents or web pages from the internet. Several options are provided at each menu and the caller may make a selection by pressing the corresponding key(s) on the telephone. The opening menu may request a password before allowing the caller to access the system.

For inputs requiring specific spelling of the information being entered (e.g. e-mail address, name, street address, etc.), each character can be defined by pressing a two-key combination. The first key indicates the key where the letter appears, and the second key indicates the position it occurs on that key. For example, the letter "A" is defined as 21, "B" is defined as 22, "C" is defined as 23, "D" is defined as 31, etc. However, the

letters "Q" and "Z" are not defined on a telephone keypad and they may be assigned by special two-key combinations. In the preferred embodiment, the letter "Q" is defined as 17 and the letter "Z" is defined as 19. Other special characters may be assigned as well. For example the "@" sign is defined as 12, the "\_" character is defined as 18, the "." (period) is defined as 13, and a " " (space) is defined as 11.

The actual interface between the voice browser and the telephony interfacing hardware is expected to vary according to the implementation. There are two issues involved here. One issue involves interface control, namely how the software commands are accepted by the interface and how errors or exceptions are signaled. The other issue involves audio encoding--how audio (e.g. voice) data is represented at the interface. For example, the Rockwell chip set utilizes a Hayes-compatible command set which is extended for fax and voice operations, and audio data is encoded in the Adaptive Differential Pulse Coded Modulation (ADPCM) format. Under a Unix system, ioctl( ) commands may be used to manipulate the audio interface. There may be another protocol for ISDN lines as well.

This accessing and navigating only by telephone is repeated throughout Rhie. Accordingly, in Rhie there is no determination of which of two or more different types of communication medium can be used to access at least one of a plurality of electronic records databases associated with the selected one of the electronic records search request. Similarly, neither Land nor Wolfe disclose these claim limitations.

In sharp contrast, the present invention is directed towards determining which of two or more different types of communication medium can be used to access at least one of a plurality of electronic records databases associated with the selected one of the electronic records search request. The problem with accessing different records with different courts, is discussed on pages 2-3 of the above-identified patent application as set forth below:

Heretofore it has been difficult for individuals to conveniently access court case records and retrieve the items or documents associated therewith. Individuals have been able to access some electronic court case records. For example, the PACER<sup>TM</sup> records retrieval service allows individuals to access Federal Court electronic court case records. However, once the electronic court case records are accessed, a cumbersome process ensues for actually retrieving the items or documents identified in the court case records. In particular, a document retrieval service is contacted to identify, purchase and request delivery of the items or documents identified in the court case records.

For example, attorneys, paralegals, law clerks or law librarians who have had to access Federal Court records and retrieve documents in the nature of a specific docket sheet and corresponding items enumerated

therein (e.g., complaints, pleadings or memoranda of law), are well aware of the series of inefficient, time-consuming steps involved in accomplishing the task. Many legal researchers are familiar with the process of logging-on to the PACER<sup>TM</sup> Federal Court records access service, conducting a court docket sheet search for a particular case they are interested in, printing the relevant docket sheet once found, and then communicating the information to the requester. The requester will then pour over the docket sheet to determine which of the identified court items or documents (e.g., pleadings, scheduling orders, etc.) are needed.

The next step in this process often involves contacting a local or regional document retrieval service to request the full-text version of the specific court case items or documents available through their service. In order to ensure accuracy regarding the request, an additional step in the process involves faxing the document retrieval service the docket sheet clearly indicating the required items. As a follow-up, a telephone call is sometimes placed to the document retrieval service to confirm that they have indeed received the request, or sometimes to provide them with additional instructions.

Perhaps one of several reasons it has been difficult to provide individuals with the ability to conveniently access electronic court case records is that court databases are not always accessible through the same communication medium. For example, some court databases may be accessible only through dial-up connections while others, alternatively or in addition, may be accessible through the Internet. Moreover, retrieving items or documents associated with electronic court case records can be even more difficult. Electronic court case records may not always include markers that identify the location of the court items or documents within the records. Making matters worse, electronic court case records accessed from different court databases are not always stored in the same format. Moreover, since human beings input the electronic court case records, data inconsistencies are common even within a single electronic court case record. Thus, such indiscriminate court items or documents contained in the electronic court case records can be difficult to identify. (Emphasis added).

By way of example only, the present invention simplifies the access problem as disclosed on page 23 of the above-identified patent application:

It should also be noted that the same court database (e.g., U.S. Supreme Court), may be accessed and searched through a number of ways, including the Internet, a dial-up connection or the National Locator Service ("NLS"), for example. Thus, for each court database, search server maintains a record in COURT database 570 storing information particular to the court database in light of its access and search method. For example, if the U.S. Supreme Court database was accessible and searchable through a dial-up connection or an Internet connection, search server 110 would maintain two court database records in COURT database 570, including a record for the court database accessible through the Internet and a record for

the court database accessible through a dial-up connection. Moreover, each of the records in COURT database 570 relating to the same court database are associated with each other for subsequent retrieval.

At step 430, search server 110 queries COURT database 570 to retrieve log-in ID 573, phone numbers 574(a-d) and log-in keyboard sequence 575(a-c) for the particular court database, for example. At step 450, search server 110 determines whether the court database is available for searching. A court database may be unavailable for searching for a number of reasons, including court database network access lines being down, court database telephone lines being down, court database systems being down or the court database having limited access times, for example. If the court database is available, search server 110 determines whether the court database can be searched through the Internet at step 490. If the court database can be searched through the Internet, at step 510, an Internet court database is accessed and searched in accordance with FIG. 17 and corresponding description, found further below.

Accordingly, with the present invention, as described as described on page 4 of the above-identified patent application:

[U]sers . . . [can] . . . search and access a number of different court databases, regardless of whether the court databases are accessible through a dial-up connection or through another network connection, such as the Internet.

In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the rejection of claims 1, 13, and 25. Since claims 2-8, 10-12, 37, 43, and 46 depend from and contain the limitations of claim 1, claims 14-20, 22-24, 39, 44, and 47 depend from and contain the limitations of claim 13, and claims 26-32, 34-36, 41, 45, and 48 depend from and contain the limitations of claim 25, they are distinguishable over the cited references and patentable in the same manner as claims 1, 13, and 25.

The Office has rejected claims 49, 51, 53 are rejected under 35 U.S.C. 102(e) as being anticipated by Rhie. The Office asserts Rhie discloses: evaluating one or more user input (i.e. User Interface for Operating the Voice Web col. 3, lines 26-65), electronic records search requests using one or more search selection criteria, wherein the one or more search selection criteria comprises at least one of how many times an examined electronic records search request has failed (i.e., if the transmission attempt is unsuccessful, the job will be reschedule for transmission at a later time. There is a limit on the number of retries before the system administrator is notified, col. 6, lines 28-55), how busy one or more databases

associated with the search data are, how many phone lines are available to access the one or more databases associated with the search data, a status of the examined electronic records search request, how many attempts have been made to execute the examined electronic records search request, when the examined electronic records search request was last updated, and when any activity associated with the examined electronic records search request last took place (col. 6, lines 28-55); selecting one of the user input (i.e. methods for delivering, col. 4, lines 32-47), electronic records search requests to execute next based upon the evaluation (i.e. the document delivery subsystem operates like a queue where the queue is periodically checked to see if there are any pending jobs, col. 6, lines 46-55)(col. 3, lines 36-65; col. 4, lines 4-47); and executing the selected search (i.e. a document or a webpage; col. 6, lines 25-55) (col. 5, lines 30-56).

Additionally, Rhie does not disclose or suggest, “evaluating one or more user input, electronic records search requests using two or more search selection criteria” as recited in claim 49, “evaluating one or more user input, electronic records search requests using two or more search selection criteria” as recited in claim 51, or “a search evaluation system that evaluates one or more user input, electronic records search requests using two or more search selection criteria” as recited in claim 53.

There is no disclosure or suggestion in Rhie of evaluating search requests using of two or more search election criteria. As set forth in the summary on page 4, lines 18-19 of the above-identified patent application, “Yet another one of the advantages of the present invention includes selectively executing search requests based on a number of factors.” This process of evaluating search request based on two or more search selection criteria is illustrated and described in greater detail in FIG. 5 and on page 16, line 16 to page 22, line 6 in the above-identified patent application. Accordingly, the present invention provides a much more dynamic system for evaluating search requests. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the rejection of claims 49, 51, and 53.

The Office has objected to claims 38, 40, 42 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the foregoing amendments and remarks with respect to claims 1, 13, and 25 from which claims 38, 40, and 42 depend, respectively, no further amendment is believed to be necessary and these claims



are believed to be in condition for allowance. Accordingly, the Office is respectfully requested to reconsider and withdraw this objection.

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

Respectfully submitted,

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